

FILED

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

SEP 27 1999

PEGGY B. DEANS, CLERK
U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF N.C.

IN RE:)	
)	
INTERNATIONAL HERITAGE, INC.)	CHAPTER 7
)	CASE NO. 98-02675-5-ATS
)	
INTERNATIONAL HERITAGE,)	CHAPTER 7
INCORPORATED,)	CASE NO. 98-02674-5-ATS
)	
Debtors.)	

**INTERIM APPLICATION FOR SPECIAL ATTORNEY
FOR TRUSTEE FEE AND EXPENSE REIMBURSEMENT**

The undersigned Stephani W. Humrickhouse of Nicholls & Crampton, P.A. ("Applicant") applies to the Court for the entry of an Order approving and authorizing interim Special Attorney for Trustee's fees for the period January 3, 1999, to August 31, 1999, in the amount of \$19,830.50, and expense reimbursement in the amount of \$412.05. In support of said Interim Application, Applicant respectfully shows the Court the following:

1. Applicant has acted as Special Attorney for the Trustee since employed and appointed by Order dated January 28, 1999. The services rendered by Applicant and members of its firm have been substantial and Applicant believes that allowance of a fee in full at this time is appropriate and necessary. Members of the firm have rendered valuable services regarding the evaluation of avoidance actions, negotiation of avoidance action settlements, and the mediation of compromise and settlement issues, including but not limited to settlements with Stanley H. Van Etten, Mayflower Holdings, Inc., Mayflower Venture Capital, LLC, Mayflower Aviation, LLC, Mayflower Capital, LLC, Mayflower Hunt Club, ACSTAR Insurance Company, United Coastal Insurance Company, TIG Insurance Company Executive Risk Specialty Insurance Company.

2. A Summary of Services Rendered which indicates the name of the attorney or paralegal, the hours spent, the hourly rate and total compensation requested is attached as Exhibit A. Attached as Exhibit B is a breakdown by hours and description of the services rendered in connection with this Application. Services rendered were reasonable and necessary in the proper representation of the Debtor. Said Exhibit B reflects an itemization of expenses incurred on behalf of the Debtor by category totals.

3. The Trustee's agreement to pay the fees at the rates set out herein are substantiated in its Application by Trustee for Authority to Employ and Appoint Attorney Specially dated January 27, 1999. Stephani W. Humrickhouse has rendered professional services of not less than

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136.10 hours and that for such professional services Trustee agreed to pay the rate of \$145.00 per hour. Phyllis W. Hill has rendered paralegal services of not less than .30 hours and that for such paralegal services Applicant is regularly paid at the rate of \$60.00 per hour. Sandra T. Waller has rendered paralegal services of not less than 1.30 hours and that for such paralegal services Applicant is regularly paid at the rate of \$60.00.

4. Stephani W. Humrickhouse is a Partner with Nicholls & Crampton, P.A. She is a Board Certified Specialist in Bankruptcy Law by the North Carolina State Bar Board of Legal Specialization, is a former member of the Bankruptcy Council of the North Carolina Bar Association, previously served as Chairman of its Continuing Legal Education Committee, is a Certified Bankruptcy Specialist by the American Bankruptcy Certification Board and is an experienced Chapter 11 bankruptcy practitioner. Humrickhouse was admitted to the bar in 1980. Humrickhouse regularly charged and has been paid as her ordinary rate during the time period covered by this Application the amount of at least \$145.00 per hour.

5. Phyllis W. Hill is a Paralegal with Nicholls & Crampton, P.A. She attended the University of Tennessee in Knoxville, TN majoring in Business Administration and received her paralegal/legal assistant degree from UT. She has been a paralegal since 1977 with seven years experience in Tax, Estate Planning, Trust and Estate Administration in Knoxville, TN, eight years experience in Civil Litigation with Hunton & Williams in Raleigh, NC and has been with Nicholls & Crampton since February, 1993, concentrating in Bankruptcy.

6. Sandra T. Waller is a Paralegal with Nicholls & Crampton, P.A. She attended Florida State University, Tallahassee, FL and received her paralegal/legal assistant training at Lively Vocational/Technical School, Tallahassee, FL. She has been a paralegal since 1982 with experience in Personal Injury, Medical Malpractice and Litigation. She has been employed at Nicholls & Crampton since January, 1998, concentrating in Bankruptcy.

7. Copying charges are recorded by client identification number, pursuant to a control counting device connected to Applicant's copying machine. The copying charges are read by Applicant's Office Administrator twice monthly, at mid and end month, and entered into the Accounting Package on those "read" dates. Applicant does not have the ability to further break down the dates such copying charges were incurred other than as expressed above.

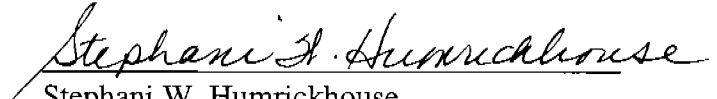
8. Postage charges for are entered cumulatively at month's end.

9. Copies are charged at 20¢ per page, and fax transmissions are charged at \$1.00 per page for out-going transmissions, with no charge for incoming faxes. Deliveries are charged at the rate of \$7.50. Mileage reimbursement was made at the rate of 31¢ per mile.

10. The best interests of Trustee, the Debtor, and the Estates will be served by the allowance of this Application in full.

WHEREFORE, Applicant respectfully requests the Court for the entry of an Order allowing and authorizing Special Attorney for Trustee fees in the amount of \$19,830.50, and expense reimbursement in the amount of \$412.05.

This the 24 day of September, 1999.


Stephani W. Humrickhouse
State Bar No. 9528
Attorney for Trustee
Nicholls & Crampton, P.A.
Post Office Box 18237
Raleigh, NC 27619
Telephone: 919/781-1311

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing INTERIM APPLICATION FOR SPECIAL ATTORNEY FOR TRUSTEE FEE AND EXPENSE REIMBURSEMENT was served this day by placing a copy thereof in a depository under the exclusive care and custody of the United States Postal Service in a postage prepaid envelope and properly addressed as follows:

Mrs. Marjorie K. Lynch
Bankruptcy Administrator
P. O. Box 3758
Wilson, NC 27895-3758

This the 21st day of September, 1999.

Jenny D. Johnson, Paralegal

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
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INTERNATIONAL HERITAGE, INC.)	CASE NO. 98-02675-5-ATS
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INTERNATIONAL HERITAGE,)	CHAPTER 7
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)	
Debtors.)	

SUMMARY OF SERVICES RENDERED

Nicholls & Crampton, P.A.

From January 3, 1999, through August 31, 1999, the undersigned person/firm has performed professional services for this estate in the capacity of attorney for the Trustee during the Chapter 7 case. Attached hereto is an itemization of time expended and expenses incurred in the performance of these professional services.

<u>NAME</u>	<u>TITLE</u>	<u>HOURS SPENT</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
Stephani W. Humrickhouse	Partner	136.10	\$145.00	\$19,734.50
Phyllis Hill	Paralegal	.30	\$ 60.00	\$ 18.00
Sandra Waller	Paralegal	1.30	\$ 60.00	\$ 78.00

TOTAL FEES \$19,830.50

TOTAL EXPENSES \$ 412.05

TOTAL AMOUNT REQUESTED \$20,242.55

In Account With

NICHOLLS & CRAMPTON, P.A.

ATTORNEYS AT LAW

4300 Six Forks Road—Suite 700

Post Office Box 18237

Raleigh, North Carolina 27619

Telephone: 919/781-1311 Fax: 919/782-0465

Federal ID #

56-1201204

09/23/99

Invoice 29365

TO Holmes P. Harden
c/o Maupin, Taylor & Ellis, PA
3200 Beechleaf Ct. POB 19764
Raleigh NC 27604

Client Id. 00-12075

Matter Id. 000-000-001 SH/G - International Heritage, Inc - Chapter 7

Amount Paid:

Return Upper Portion With Payment

For legal services rendered, including
but not limited to

01/03/99	PL9	Letter to H. Harden.	.30
02/16/99	HUM	Begin review of schedules	1.80
02/17/99	HUM	Call from Harden re: preference actions and possible global settlement with SEC	.30
02/27/99	HUM	Review insurance	.60
03/01/99	HUM	Review schedules re: preference and fraudulent conveyance analysis (4.5); review relevant correspondence and papers on insurance policy (TIG) (1.2)	5.70
03/02/99	HUM	Preference analysis	5.30
03/03/99	HUM	Prepare for and meet with trustee re: preference analysis, bond issues, avoidance issues, SEC settlement issues and effect on avoidance issues	3.80
03/04/99	HUM	Conf. with Terri Gardner re: document requests concerning one year transfers	.40
03/05/99	HUM	Conf. with Craig Adams re: vendor list to determine insider transactions (.2); call to Holmes	2.50

A finance charge is computed on account balances unpaid 30 days after the billing date at a periodic rate of 1½% per month (Annual percentage rate of 18%).

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re: status (.2); review 60 page
vendor list re: avoidance actions
(1.3); review account details of
specified vendors re: avoidance
actions (.8)

03/08/99	P20	Deliver documents to Adams Consulting	.20
03/09/99	HUM	Review vendor print outs	.80
03/10/99	HUM	Extended conf. with Harden re: insurance litigation, issues in bond settlement, necessary party issues re: possible AP's	.70
03/12/99	HUM	Review correspondence from Gardner re: insider transactions	.20
03/17/99	HUM	Research re: compulsory counterclaims	1.30
03/18/99	HUM	Call from Holmes re: compulsory counterclaim issue	.40
03/19/99	HUM	Draft motion for extension of time regarding compulsory counterclaim in insurance AP and motion re: permission to file avoidance claims in separate action and research regarding same	2.30
03/22/99	HUM	Finalize motion to extend time and motion re: resolution of	1.00

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compulsory counterclaim issue
(.6); call from Texas attorney re:
avoidance action a/g Van Etten re:
salary (.4)

03/23/99	HUM	Review motion to extend time to assume or reject TIG policy	.20
03/24/99	HUM	Extended conference with Harden re: avoidance actions and possible settlement parameters (.5); work on avoidance action outline for trustee (2.5)	3.00
03/25/99	HUM	Work on avoidance actions, review financial info., letter to Harden re: status of investigation	4.50
03/26/99	HUM	Work on analysis of settlement terms, evaluation of Van Etten defenses and objections, letter to Harden	3.30
03/31/99	HUM	Extended conf. with Harden re: avoidance actions, 2004 exam of Van Etten and meeting with Van Etten	.50
04/01/99	HUM	Conf. with Harden re: settlement meeting; prepare 2004 Motion and Order	.80
04/10/99	HUM	Review letter from Brent Wood re: 2004 exam, letter to Wyche and	.90

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Wood re: 2004 exam

04/12/99	HUM	Conf. with Harden and others; preparation for meeting with Brent Wood, Hunter Wyche and Holmes Harden (4.5); review draft of SEC brief re: settlement (1.2)	5.70
04/15/99	HUM	Prepare for and attend hearing on 2004 and Gilbert motion for relief from stay, conf. with Brent Wood re: same	1.00
04/16/99	HUM	Conf. with Holmes Harden re: Gilbert suit	.50
04/22/99	HUM	Review pleadings, conferences with Holmes re: bonding company position on settlement (1.8); review possibility of avoidance actions against SEC (1.0); prepare for Van Etten depo. (1.5)	4.30
04/26/99	HUM	Meeting with Brent Wood re: documents, settlement discussions (.4); prepare for 2004 exam (1.0)	1.40
04/27/99	HUM	Prepare for deposition of Stan Van Etten	6.20
04/28/99	HUM	Deposition of Stan Van Etten	5.50
04/29/99	HUM	Conference with Holmes re: hearing on compromise and settlement and	1.90

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Van Etten 2004, review notes re:
2004

04/30/99	HUM	Call to court reporter re: expediting transcript; call to Brent Wood re: setting/continuance of hearing, extended conferences with Holmes Harden re: hearing on settlement and preparation therefor, review Acstar brief, research on settlement issues, prepare for hearing	5.30
05/03/99	HUM	Extended conference with Brent Wood re: settlement, continuance of hearing (.8); various extended conferences with Harden re: trustee liability, Acstar threats and procedural plan (1.5); research on trustee liability (.5); prepare memo re: 2004 exam (1.2); prepare motion re: bifurcation/status conf. (2.5)	6.50
05/04/99	HUM	Research and other preparation for hearing on settlement	7.80
05/05/99	HUM	Prepare for and attend hearing on settlement and compromise (3.2); call to Jackie Clare re: availability as mediator (.6)	3.80
05/06/99	HUM	Conf. with Holmes re: settlement with Van Etten, prepare settlement	2.60

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proposal

05/07/99	HUM	Extended conference with Jackie Clare re: mediation	.80
05/10/99	HUM	Letter to mediator with relevant documentation	.30
05/11/99	P20	Call to Paul Fanning, Pull docket re: Acstar Memo	.10
05/17/99	HUM	Conference with Holmes Harden re: status of settlement negotiations, review Hicks' letter to Acstar	.70
05/21/99	HUM	Call to Mannie Currin re: deposition (.3); review Acstar letter re: settlement (.2)	.50
05/24/99	HUM	Review Acstar motion to intervene, extended conference with Harden re: same	1.00
05/25/99	HUM	Review draft response to intervention motion (.6), conference with Harden (.2)	.80
05/26/99	HUM	Call from Harden re: response to intervention motion, review new draft of response, research file for attachments, etc.	1.80
05/27/99	HUM	Call from Bill Hicks re: Van Etten 2004 exam, various conferences	1.00

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with Harden re: response to
intervention motion

05/28/99	HUM	Conference with Harden re: mediation, preparation, review 506(b) assertion in response to intervention motion	.80
06/01/99	HUM	Extended conf. with Mike Flanagan re: mediation (.6); conf. with Jackie Clare re: mediation (.4); prepare for mediation (1.0)	2.00
06/02/99	HUM	Mediation (8.5); extended post-mediation conf. with mediator (.5)	9.00
06/03/99	HUM	Various discussions with Clare re: mediation	.80
06/07/99	HUM	Conf. with Clare re: Trustee release issue	.50
06/08/99	HUM	Work on release for Trustee, review TIG file, call to Harden re: TIG status, call to Jackie Clare re: release	1.50
06/09/99	HUM	Various conferences with Jackie Clare re: release and Van Etten settlement, prepare for continuation of mediation re: Van Etten claims	3.80

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06/10/99	HUM	Prepare for and attend mediation of Van Etten claim	3.50
06/12/99	HUM	Draft Van Etten Settlement Agreement	1.50
06/14/99	HUM	Finalize settlement agreement with Van Etten and transmit to Harden	.40
06/15/99	HUM	Prepare for and review documents for status conference; meet with Brent Woods re: Van Etten settlement	1.30
06/17/99	HUM	Redraft Van Etten Settlement Agreement, conference with Brent, conference with Harden	1.50
06/18/99	HUM	Draft Van Etten settlment motion	1.20
06/21/99	HUM	Draft application to approve settlement and transmit to Trustee	1.40
06/22/99	HUM	Review draft of Van Etten settlement agreement, call to Holmes re: same	.60
06/23/99	HUM	Review Freedom of Information Act request	.40
07/08/99	P20	Draft Attorney Fee Application, Notice, Fee Summary, Certificate of Mailing and Order	1.00

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07/10/99	HUM	Letter to Harden re: indemnification of officers case (in re: Mid-Amer)	.40
07/15/99	HUM	Review preference information re: actions to be initiated	1.00
07/27/99	HUM	Conference with Harden re: preference actions	.30
07/29/99	HUM	Prepare fee application	.40
08/03/99	HUM	Review documentation on Business Credit Leasing adversary proceeding, call to Holmes Harden re: same (.6); letter to John Dochen re: BCL claim (.3)	.90
08/04/99	HUM	Preference analysis for demand letters	1.20
08/05/99	HUM	Call from John Dochen re: BCL (.3); call to Trustee re: same	.40
08/27/99	HUM	Review roadster transaction, draft letter to transferees	1.20
08/30/99	HUM	Work on Colorado avoidance (Porsche)	.20
08/31/99	HUM	Various conferences with Trustee's office re: addresses for avoidance actions	.20

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	Fees Billed	\$ 19,830.50
Disbursements		

Delivery Charge	\$	22.05
Postage	\$	18.40
Fax	\$	84.00
Telephone Charges	\$	71.00
Fed Ex	\$	15.00
1008 Copies at .20 ea.	\$	201.60
Total Disbursements		\$ 412.05
Total Current Bill		\$ 20,242.55
Balance Due		\$ 20,242.55
		=====

Fee Summary

Paralegal PWH worked .30 hours at \$ 60 an hour.
S W Humrickhouse worked 136.10 hours at \$145 an hour.
S T Waller worked 1.30 hours at \$ 60 an hour.

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